

Appln. Serial No. 09/706,960  
Amendment Under 37 C.F.R. § 1.116  
Reply to Office Action Mailed December 23, 2004

### AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior versions, and listings, of claims in the application:

1           1.       (Original) A system comprising:  
2                    an interface to a network;  
3                    a first operational element to perform one or more tasks in the system;  
4                    a storage element containing a flag to indicate if a fault has occurred with the first  
5 operational element; and  
6                    a backup device to enable access of the network through the interface in response  
7 to the flag indicating failure of the first operational element.

1           2.       (Original) The system of claim 1, wherein the first operational element comprises  
2 a disk drive.

1           3.       (Previously Presented) The system of claim 1, wherein the interface comprises a  
2 network stack having an Internet Protocol (IP) layer, wherein the backup device comprises a  
3 backup storage element containing a backup routine adapted to perform communications through  
4 the network stack including the IP layer to the network.

1           4.       (Original) The system of claim 3, wherein the backup routine comprises a  
2 browser.

1           5.       (Original) The system of claim 3, wherein the first operational element comprises  
2 a first disk drive, and wherein the backup storage element comprises a second disk drive separate  
3 from the first disk drive.

1           6.       (Original) The system of claim 5, wherein the second disk drive has a smaller  
2 storage capacity than the first disk drive.

1           7.       (Previously Presented) The system of claim 3, wherein the backup storage  
2 element comprises non-volatile memory.

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1           8.       (Previously Presented) The system of claim 1, wherein the first operational  
2 element comprises a disk drive having plural partitions, and wherein the backup device  
3 comprises one of the partitions.

1           9.       (Previously Presented) The system of claim 1, wherein the backup device  
2 comprises a removable disk drive.

1           10.      (Original) The system of claim 1, the backup device to retrieve user data and  
2 software over the network to recover the system.

1           11.      (Original) The system of claim 1, wherein the first operational element comprises  
2 a storage element, the backup device to retrieve an image of the storage element to recover the  
3 storage element to its operational state.

1           12. – 13. (Cancelled)

1           14.      (Currently Amended) ~~The method of claim 13, A method of performing error~~  
2 recovery in a system, comprising:  
3                   detecting if an operating portion of the system has experienced a fault;  
4                   accessing a backup device to enable communication through a network stack  
5 including an Internet Protocol (IP) layer over a network;  
6                   retrieving data through the network stack including the IP layer over the network,  
7 the data comprising an image containing user data and an operating system;  
8                   recovering the system using the image; and  
9                   loading a backup software routine from the backup device,  
10                 wherein the backup software routine comprises a browser, the method further  
11 comprising executing the browser to access the network through the network stack including the  
12 IP layer to retrieve the data.

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1           15. – 19. (Cancelled)

1           20.   (Currently Amended) ~~The method of claim 19,~~ A method of performing recovery  
2 in a system having a main storage device and a backup storage device, comprising:  
3               booting from a backup storage device instead of the main storage device if the  
4 system has experienced a fault;  
5               using the backup storage device to enable communications through a network  
6 stack including an Internet Protocol (IP) layer over a network to retrieve an image to recover the  
7 system, wherein the image comprises user data and an operating system; and  
8               loading a routine from the backup storage device to enable the network  
9 communication through the network stack including the IP layer,  
10              wherein loading the routine comprises loading a browser.

1           21. – 27. (Cancelled)

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1           28.   (Previously Presented) An article comprising at least one storage medium  
2   containing instructions that when executed cause a system to:  
3               detect if an operating portion of the system has experienced a fault;  
4               access a backup device to enable communication over a network;  
5               retrieve data to recover the system over the network;  
6               in response to the fault, scan a storage device to identify portions of the storage  
7   device that are defective;  
8               store the retrieved data in portions of the storage device other than the portions  
9   that are identified to be defective by the scan,  
10              wherein retrieving the data comprises retrieving an image containing user data  
11   and operating system software;  
12              set a flag in response to the fault, the flag to indicate that the system has  
13   experienced the fault;  
14              load a BIOS routine to detect whether the flag is set; and  
15              cause the BIOS routine to load a second routine in response to detecting the flag  
16   is set, the second routine to retrieve the data to recover the system over the network.

1           29.   (Cancelled)

1           30.   (Previously Presented) The system of claim 1, further comprising a BIOS routine  
2   to detect a state of the flag, the BIOS routine to access the backup device in response to detecting  
3   that the flag indicates the fault.

1           31.   (Previously Presented) The system of claim 10, wherein the software comprises  
2   operating system software.

1           32.   (Previously Presented) The system of claim 3, wherein the backup device is  
2   adapted to retrieve an image containing user data and operating system software over the  
3   network in response to the flag.

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- 1           33.     (Previously Presented) The article of claim 28, wherein storing the retrieved data
- 2 comprises storing the retrieved image containing the user data and operating system software in
- 3 the portions of the storage device other than the portions that are identified to be defective by the
- 4 scan.